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LAW DEPARTMENT
PATENT SECTION

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25 November 1981

AIRMAIL

Colin D. Macauley, Esq.
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RE: Australian Patent Application 41190/78 PM 706

Dear Mr. Macauley:

Thanks for your letter of August 26. We're not particularly interested in this case, and would be content to take what we can get easily.

As far as amending Claim 1 is concerned, we would be inclined to insert after "and" (second line) something like "means such as a mouthpiece (13) or outer wrap (23) for holding", in order to lay a foundation for the distinction made in Claim 2 regarding the presence of a mouthpiece. We also agree with your suggestion about Claim 2.

With regard to Claim 11, the subject is not just a filter for a cigarette (note that a filter is recited in line 5). Perhaps the introductory language should be "A mouthpiece providing a filter for a cigarette,..." That approach would also simplify the situation by not requiring amendment of dependent Claims 12, 13, 16 and 18.

In general, please feel free to rearrange or reduce the number of claims as you think best, bearing in mind that two basic forms of the article are shown: one with a thick-walled mouthpiece 11 forming a plug 13 (as in Figs. 3 and 4), and the other having a similar plug 13 combined with an outer wrap 23 (Figs. 5 and 7-9); also, that the basic common feature (as in Figs. 3, 8 and 9) is the filter section 12 of reduced size together with plug 13 to cause the smoke to flow into such filter. The cited references don't seem to show that. It may be that the Examiner has not recognized there is filter material in the central chamber or orifice, and the smoke is blocked so as to flow through such filter.

Very truly yours,

Arthur I. Palmer, Jr.

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